

Instrument Control Number

000159 NOV 30 2006

**Commonwealth of Virginia
Land Record Instruments
Cover Sheet - Form A**

[ILS VLR Cover Sheet Agent 1.0.83]

INSTRUMENT #200605043
RECORDED IN THE CLERK'S OFFICE OF
WISE COUNTY ON
NOVEMBER 30, 2006 AT 11:58AM
J. JACK KENNEDY, JR., CLERK

RECORDED BY: SLS

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Date of Instrument: [11/13/06]

Instrument Type: [ORDER]

Number of Parcels [1]

Number of Pages [8]

City ☐ County ☒ [Wise County]

(Box for Deed Stamp Only)

First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Virginia]	[Gas and Oil Board]	[]	[]
[]	[]	[]	[]

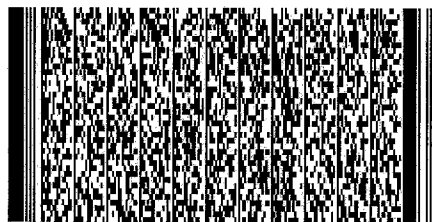
First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[Pine Mountain]	[Oil and Gas]	[]	[]
[Adkins]	[Eva]	[Mae]	[]

Grantee Address (Name) [Equitable Production Company]
(Address 1) [Cloverleaf Square]
(Address 2) []
(City, State, Zip) [Big Stone Gap] [VA] [24219]
Consideration [0.00] Existing Debt [0.00] Assumption Balance [0.00]

Prior Instr. Recorded at: City ☒ County ☐ [Wise] Percent. in this Juris. [100]
Book [] Page [] Instr. No [200504713]
Parcel Identification No (PIN) [VC-536531]
Tax Map Num. (if different than PIN) [39465]
Short Property Description [supplemental Order]
Current Property Address (Address 1) []
(Address 2) []
(City, State, Zip) [] [] []

Instrument Prepared By [Virginia Gas and Oil Board]
Recording Paid for By [DMME]
Return Recording To (Name) [Diane Davis]
(Address 1) [Division of Gas and Oil]
(Address 2) [P. O. Box 1416]
(City, State, Zip) [Abingdon] [VA] [24212]
Customer Case ID [Supplemental 1498] [] []



200605043

INSTRUMENT PREPARED BY
VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE
OF VIRGINIA SECTION 5.1-204
000160 NOV 30 2005

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING DOCKET NO. VGOB 05/09/20-1498
ELECTIONS, UNIT: VC-536531

(hereinafter "Subject Drilling Unit")

TAX MAP IDENTIFICATION NUMBERS:

TAX MAP IDENTIFICATION NUMBERS FOR ALL PARCELS
AFFECTED BY THIS ORDER ARE SHOWN ON EXHIBIT (S)
B WHICH IS/ARE ATTACHED TO AND A PART OF THIS
ORDER.

REPORT OF BOARD

FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992, at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirement of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on October 13, 2005 and recorded in Instrument # 200504713 in the Office of the Clerk of Circuit Court, Wise County, Virginia on October 25, 2005 (herein "Board Order") to complete the record regarding elections. The Board Order pooled all interest in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.
2. Findings: The Board finds that:
 - (a) The Board Order directed Equitable Production Company, (herein the Designated Operator"), to mail copies of the Board Order to all respondents whose interest, if any, were pooled by said Board Order;
 - (b) The designated operator filed its affidavit of mailing dated November 19, 2005, disclosing that it had mailed a correct copy of the Board's Order to all Respondents whose interest, if any, were pooled by said Board Order;

- 0990 611 NOV 30 2006
- (c) The Board Order required each Respondent whose interest, if any, were pooled by the terms of said Board Order to make his or her election within 10 days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated March 22, 2006, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.70C (herein "Affidavit of Election"), wherein it has, for each Respondent whose interest, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interest, estates and claims in Subject Drilling Unit to the Designated Operator;
 - (d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interests as part of its Affidavit of Election. A copy of which is attached hereto as Exhibit B;
 - (e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated December 23, 1992.
3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2 above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust, PA 1328, 123 South Broad Street, Philadelphia, PA 19109-1199, (888) 396-0853, Attn: Rachel Rafferty,, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said affidavits to receive such funds and account to the Board therefore.
4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each person whose interest or claim is subject to escrow and whose address is known.
5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
6. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 18^R day of October, 2006 by a majority
of the Virginia Gas and Oil Board.

Benny R. Wampler
Chairman, Benny R. Wampler

DONE AND PERFORMED THIS 19th day of October, 2006 by Order
of this Board.

B. R. Wilson
B. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF Washington

Acknowledged on this 18th day of October, 2006, personally before me a notary
public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly
sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he
executed the same and was authorized to do so.

Diane J. Davis
Notary Public

My commission expires: 9/30/09.

STATE OF VIRGINIA)
COUNTY OF Washington

Acknowledged on this 19th day of October, 2006, personally before me a
notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly
sworn did depose and say that he is Principal Executive to the Staff Virginia Gas and Oil
Board, that he executed the same and was authorized to do so.

Diane J. Davis
Diane J. Davis
Notary Public

My commission expires: 9/30/09.

VIRGINIA:

000163 NOV 30 2005

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of Equitable Production Company, for Forced Pooling of Interests in Unit Number VC-536531 VGOB Docket No. VGOB-05/09/20-1498 in the Lipps Magisterial District of Wise County, Virginia.

AFFIDAVIT OF WILHOIT & KAISER, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER

James E. Kaiser (herein Affiant), being first duly sworn on oath, deposes and says:

1. That the Affiant is an attorney in the law firm of WILHOIT & KAISER, the Agent for the Designated Operator, with offices located at 220 Broad Street, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf;
2. That the Order entered on October 13, 2005, by the Virginia Gas and Oil Board regarding the captioned coalbed methane Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, the Affiant was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on October 25, 2005.
5. That the Designated Operator, by and through their agent, Wilhoit & Kaiser, Attorneys-at-Law, have established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interest have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election periods:

NONE

6. That the interest and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow as either unknown claimants or conflicting claimants under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia; that opposite the name of each person named as a Respondent listed below is set forth:

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>NET REVENUE INTEREST</u>
3	Eva Mae Adkins P.O. Box 1966 Coeburn, VA 24230-1966	Unleased	0.00112500

OR

3	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham 241490L P.O. Box 2136 Tract T-901 Abingdon, VA 24212	Leased-EPC	0.00112500
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7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims.

NONE

8. That the following persons have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective interests shall be deemed to have leased pursuant to and in accordance with paragraph 10 of the Order.

<u>TRACT</u>	<u>LESSOR</u>	<u>CASHCONSIDERATION</u>
3	Eva Mae Adkins P.O. Box 1966 Coeburn, VA 24230-1966	0.5300 X \$5.00 = \$2.65

That pursuant to the provision of 4VAC 25-160.70C annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding sections; that said annexed supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D.

Dated at Kingsport, Tennessee, this 25th day of March 2006.

[Signature]
Affiant

Taken, subscribed and sworn to before me by James E. Kaiser, the Agent of Equitable Production Company, a corporation, on behalf of the corporation, this 25th day of March 2006.

My commission expires: 11-12-08

[Signature]
Notary

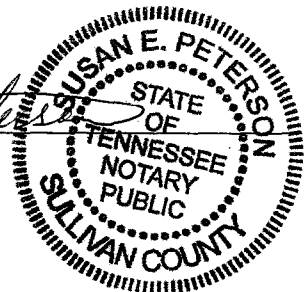


EXHIBIT "B"
VC-536531
VGOB 05/09/20-1498

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<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>	
<u>Gas Estate Only</u>						
1 ID 039465	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490L T-895	29.060000%	17.0800	0.03632500	RI
	Equitable Production Company				0.25427500	WI
<u>Tract 1 Totals</u>			29.060000%	17.0800	0.29060000	
2 ID 039465	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	T-901 241490L T-895	20.660000%	12.1400	0.02582500	RI
	Equitable Production Company				0.18077500	WI
<u>Tract 2 Totals</u>			20.660000%	12.1400	0.20660000	
3 ID 006061	Eva Mae Adkins P.O. Box 1966 Coeburn, VA 24230-1966	Unleased	0.900000%	0.5300	0.00112500	RI
	Equitable Production Company				0.00787500	WI
<u>Tract 3 Totals</u>			0.900000%	0.5300	0.00900000	
4 ID 13089	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490L Tract T2-261	49.380000%	29.0200	0.06172500	RI
	Equitable Production Company				0.43207500	WI
<u>Tract 4 Totals</u>			49.380000%	29.0200	0.49380000	
TOTAL GAS ESTATE			100.000000%	58.7700	1.00000000	

EXHIBIT "B"
VC-536531
VGOB 05/09/20-1498

<u>TRACT</u>	<u>LESSOR</u>	<u>LEASE STATUS</u>	<u>INTEREST WITHIN UNIT</u>	<u>GROSS ACREAGE IN UNIT</u>	<u>NET REVENUE INTEREST</u>	
<u>Coal Estate Only</u>						
1 ID 039465	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490L Tract T-895	29.060000%	17.0800	0.03632500	RI
	Equitable Production Company				0.25427500	WI
<u>Tract 1 Totals</u>			29.060000%	17.0800	0.29060000	
2 ID 008736	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490L Tract T-901	20.660000%	12.1400	0.02582500	RI
	Equitable Production Company				0.18077500	WI
<u>Tract 2 Totals</u>			20.660000%	12.1400	0.20660000	
3 ID 008736	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490L Tract T-901	0.900000%	0.5300	0.00112500	RI
	Equitable Production Company				0.00787500	WI
<u>Tract 3 Totals</u>			0.900000%	0.5300	0.00900000	
4 ID 039480	Pine Mountain Oil & Gas, Inc. Attn: Jerry Grantham P.O. Box 2136 Abingdon, VA 24212	Leased-EPC 241490L Tract T-671	49.380000%	29.0200	0.06172500	RI
	Equitable Production Company				0.43207500	WI
<u>Tract 4 Totals</u>			49.380000%	29.0200	0.49380000	
TOTAL COAL ESTATE			100.000000%	58.7700	1.00000000	

INSTRUMENT #200605043
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RECORDED BY: SLS

